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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

**UNITED STATES OF AMERICA and
WILLIE WILCOX, Revenue Officer,**

Petitioners,

v.

HOWARD HINKLE,

Respondent.

NO. C-07-5270-SBA

**APPLICATION TO DISMISS
VERIFIED PETITION TO ENFORCE
SUMMONS OF THE INTERNAL
REVENUE SERVICE**

The United States of America dismisses the Petition To Enforce filed on October 16, 2007, because the respondent has complied with the summons, this matter is moot.

SCOTT N. SCHOOLS
United States Attorney

/s/ Cynthia Stier
CYNTHIA STIER
Assistant United States Attorney
Tax Division

SO ORDERED:

DATED:

SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, **KATHY TAT** declare:

That I am a citizen of the United States of America and employed in San Francisco County, California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to the above-entitled action.

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the following:

APPLICATION TO DISMISS VERIFIED PETITION TO ENFORCE SUMMONS OF THE INTERNAL REVENUE SERVICE

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

 X **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

 PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)

 FACSIMILE (FAX) No.: _____

to the parties addressed as follows:

HOWARD HINKLE
59 CLUB VIEW DRIVE
NOVATO, CA 94949

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on **November 28, 2007** at San Francisco, California.

/s/ Kathy Tat
KATHY TAT
Legal Assistant